

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MARK ZEPPA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:13CV368SPM
)	
BRANSON VACATION & TRAVEL, LLC,)	
ET AL.,)	
)	
Defendants.)	

ORDER

This matter is before the Court on Defendants' Joint Motion to Enforce Settlement and to Dismiss Cause of Action (Doc. 31) and Plaintiff's Motion to Dismiss this action with prejudice (Doc. 34). Both parties seek to have this action dismissed in its entirety.

Under Rule 41(a)(2), an action may be dismissed at the plaintiff's request by court order, on terms that the court considers proper.¹ Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Dismiss (Doc. 31) is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff's cause of action is **DISMISSED** in its entirety, with prejudice, each party to bear its own costs.

IT IS FURTHER ORDERED that Defendants' Joint Motion to Enforce Settlement and to Dismiss Cause of Action (Doc. 31) is **DENIED** as moot.

/s/Shirley Padmore Mensah
SHIRLEY PADMORE MENSAH
UNITED STATES MAGISTRATE JUDGE

Dated this 23rd day of August, 2013.

¹Plaintiff states that his motion is brought under Rule 41(b); however, Rule 41(b) governs motions to dismiss brought by defendants, and Rule 41(a) governs motions to dismiss brought by plaintiffs.